



**Filed: 02/19/04**

09300HB3830ham001

LRB093 12599 MKM 47695 a

1 AMENDMENT TO HOUSE BILL 3830

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3830 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The State Finance Act is amended by changing  
5 Sections 8h and 8j as follows:

6 (30 ILCS 105/8h)

7 Sec. 8h. Transfers to General Revenue Fund.  
8 Notwithstanding any other State law to the contrary, the  
9 Director of the Governor's Office of Management and Budget may  
10 from time to time direct the State Treasurer and Comptroller to  
11 transfer a specified sum from any fund held by the State  
12 Treasurer to the General Revenue Fund in order to help defray  
13 the State's operating costs for the fiscal year. The total  
14 transfer under this Section from any fund in any fiscal year  
15 shall not exceed the lesser of 8% of the revenues to be  
16 deposited into the fund during that year or 25% of the  
17 beginning balance in the fund. No transfer may be made from a  
18 fund under this Section that would have the effect of reducing  
19 the available balance in the fund to an amount less than the  
20 amount remaining unexpended and unreserved from the total  
21 appropriation from that fund for that fiscal year. This Section  
22 does not apply to any funds that are restricted by federal law  
23 to a specific use or to any funds in the Motor Fuel Tax Fund or  
24 the Hospital Provider Fund. Notwithstanding any other

1 provision of this Section, the total transfer under this  
2 Section from the Road Fund or the State Construction Account  
3 Fund shall not exceed 5% of the revenues to be deposited into  
4 the fund during that year.

5 In determining the available balance in a fund, the  
6 Director of the Governor's Office of Management and Budget may  
7 include receipts, transfers into the fund, and other resources  
8 anticipated to be available in the fund in that fiscal year.

9 The State Treasurer and Comptroller shall transfer the  
10 amounts designated under this Section as soon as may be  
11 practicable after receiving the direction to transfer from the  
12 Director of the Governor's Office of Management and Budget.

13 If the Director of the Governor's Office of Management and  
14 Budget directs the State Treasurer and the Comptroller to  
15 transfer moneys into the General Revenue Fund under this  
16 Section, he or she shall notify the Illinois Economic and  
17 Fiscal Commission of the direction to transfer the moneys and  
18 the amount directed to be transferred.

19 This Section is repealed on June 30, 2004.

20 (Source: P.A. 93-32, eff. 6-20-03; 93-659, eff. 2-3-04.)

21 (30 ILCS 105/8j)

22 Sec. 8j. Allocation and transfer of fee receipts to General  
23 Revenue Fund. ~~If and only if any one or more of Senate Bills~~  
24 ~~774, 841, 842, and 1903 of the 93rd General Assembly become~~  
25 ~~law,~~ Notwithstanding any other law to the contrary, additional  
26 amounts generated by the new and increased fees created or  
27 authorized by Public Acts 93-22, 93-23, 93-24, and 93-32 ~~these~~  
28 ~~amendatory Acts of the 93rd General Assembly this amendatory~~  
29 ~~Act of the 93rd General Assembly and by Senate Bill 774, Senate~~  
30 ~~Bill 841, and Senate Bill 842 of the 93rd General Assembly, if~~  
31 ~~those bills become law,~~ shall be allocated between the fund  
32 otherwise entitled to receive the fee and the General Revenue  
33 Fund by the Governor's Office of Management and Budget Bureau

1 ~~of the Budget~~. In determining the amount of the allocation to  
2 the General Revenue Fund, the Director of the Governor's Office  
3 of Management and Budget ~~Bureau of the Budget~~ shall calculate  
4 whether the available resources in the fund are sufficient to  
5 satisfy the unexpended and unreserved appropriations from the  
6 fund for the fiscal year.

7 In calculating the available resources in a fund, the  
8 Director of the Governor's Office of Management and Budget  
9 ~~Bureau of the Budget~~ may include receipts, transfers into the  
10 fund, and other resources anticipated to be available in the  
11 fund in that fiscal year.

12 Upon determining the amount of an allocation to the General  
13 Revenue Fund under this Section, the Director of the Governor's  
14 Office of Management and Budget ~~Bureau of the Budget~~ may direct  
15 the State Treasurer and Comptroller to transfer the amount of  
16 that allocation from the fund in which the fee amounts have  
17 been deposited to the General Revenue Fund; provided, however,  
18 that the Director shall not direct the transfer of any amount  
19 that would have the effect of reducing the available resources  
20 in the fund to an amount less than the amount remaining  
21 unexpended and unreserved from the total appropriation from  
22 that fund for that fiscal year.

23 The State Treasurer and Comptroller shall transfer the  
24 amounts designated under this Section as soon as may be  
25 practicable after receiving the direction to transfer from the  
26 Director of the Governor's Office of Management and Budget  
27 ~~Bureau of the Budget~~.

28 If the Director of the Governor's Office of Management and  
29 Budget directs the State Treasurer and the Comptroller to  
30 transfer moneys into the General Revenue Fund under this  
31 Section, he or she shall notify the Illinois Economic and  
32 Fiscal Commission of the direction to transfer the moneys and  
33 the amount directed to be transferred.

34 (Source: P.A. 93-25, eff. 6-20-03; 93-32, eff. 6-20-03; revised

1 8-21-03.)

2 Section 99. Effective date. This Act takes effect upon  
3 becoming law.".